

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Rule making related to the civil commitment unit for sexual offenders

The Human Services Department hereby amends Chapter 31, “Civil Commitment Unit,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 218.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 229A.

Purpose and Summary

The Department is updating the rules in Chapter 31 for the Civil Commitment Unit for Sexual Offenders (CCUSO) to align with the Iowa Code and CCUSO policies. Changes include adding the facility administrator’s designee to those who are authorized to approve visits outside the facility. The rule on gifts or bequests of value is updated to state that if the value of such an item is \$50 or more, the gift or bequest shall be reported to the Iowa Ethics and Campaign Board within 20 days of receipt of the gift or bequest to align with Iowa Code section 8.7. Paragraph 31.2(5)“c” stating food items may not be brought into the visiting area is rescinded as it conflicts with paragraph 31.2(6)“1.”

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 26, 2022, as **ARC 6153C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Council on Human Services on March 10, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on June 1, 2022.

The following rule-making actions are adopted:

ITEM 1. Amend **441—Chapter 31**, title, as follows:

CIVIL COMMITMENT UNIT FOR SEXUAL OFFENDERS

ITEM 2. Rescind paragraph **31.2(5)“c.”**

ITEM 3. Amend paragraph **31.2(9)“b,”** introductory paragraph, as follows:

b. The visit receives the approval of the facility administrator or the facility administrator’s designee. Such approval shall be granted only when:

ITEM 4. Amend paragraph **31.9(2)“b”** as follows:

b. All gifts or bequests, ~~regardless of value,~~ with a value of \$50 or more shall be reported to the Iowa ethics and campaign disclosure board within 20 days of receipt of the gift or bequest using the board’s Form-GB.

[Filed 3/15/22, effective 6/1/22]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/6/22.